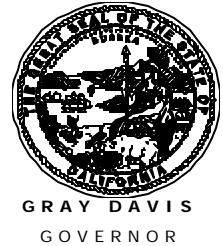




STATE MINING & GEOLOGY BOARD
DEPARTMENT OF CONSERVATION
STATE OF CALIFORNIA



RESULTS

THE STATE MINING AND GEOLOGY BOARD

Held a Regular Business Meeting on:

December 12, 2002

9:00 A.M.

State Capitol

Assembly Hearing Room 437

Sacramento, California

AGENDA

(NOTE: The Chairman may alter the hearing start time or agenda item order during the meeting)

I Call to Order (Jones)

II Roll Call and Declaration of a Quorum

III Director's Report (Young, Department of Conservation) (Information)

IV Chairman's Report (Jones) (Information)

V Executive Officer's Report (Parrish) (Information)

VI Good of the Meeting (Information)

(This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. Speakers are limited to three minutes except by special consent of the Chairman)

VII Consent Items (Action)

1. Approval of [Minutes](#), November 14, 2002 Regular Business Meeting

Approved

VIII Continued Business Items (Action)

(These business items have been continued from a previous meeting)

2. Adoption of Emergency Regulations Relating to Reclamation Policies
Requiring Backfilling and Site Recontouring of Open Pit Surface Mine
Excavations for Metallic Minerals.

[Staff Report](#)

Adopted

*Mission of the State Mining and Geology Board is to Represent the State's Interest in the
Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands;
Development of Geologic and Seismic Hazard Information; and to Provide a Forum
for Public Redress*

IX New Business

(Action)

3. Approval of Recommendation that Weber Creek Quarry, CA Mine ID # 91-09-0002, Prepare a New Reclamation Plan for Submittal to the SMGB According to an Established Timeline or be Subject to the Termination of the Current Plan, as Recommended by the Surface Mining Standards Committee.

[Staff Report](#) [Amended Staff Report](#)

Approved As Amended

4. Approval of a Financial Assurance Cost Estimate Amount for Weber Creek Quarry, Ca Mine ID # 91-09-0002, as Requested by the Surface Mining Standards Committee.

[Staff Report](#)

Approved

5. Approval of Recommendation that Diamond Quarry, CA Mine ID # 91-09-0003, Prepare a New Reclamation Plan for Submittal to the SMGB According to an Established Timeline or be Subject to Termination of the Current Plan, as Recommended by the Surface Mining Standards Committee.

[Staff Report](#) [Amended Staff Report](#)

Approved As Amended

6. Issuance of a Notice of Violation to Clinton Donovan, El Dorado County, for Operating a Surface Mine Subject to SMARA Without Possession of an Approved Reclamation Plan, Financial Assurance, and County Permit to Mine, in Violation of PRC § 2770.

[Staff Report](#)

Notice of Violation Issued

7. Issuance of a Notice of Violation to Eureka Slate Mine, CA Mine ID # 91-09-0007, El Dorado County, for Failure to Possess an Approved Reclamation Plan and Financial Assurances.

[Staff Report](#)

Notice of Violation Issued

8. Issuance of a Notice of Violation to Somerset Sand Mine, CA Mine ID # 91-09-0009, El Dorado County, for Failure to Maintain a Revegetation Test Plot in Accordance with the Approved Reclamation Plan.

[Staff Report](#)

Action Continued until January 2003

9. Issuance of Notice of Violation to Snow's Road Pit, CA Mine ID # 91-09-0012, El Dorado County, for Exceeding Stockpile Heights, and Not Possessing Documentation from the California Department of Fish and Game Regarding Special Animal Species, as Required by the Reclamation Plan.

[Staff Report](#) [Amended Staff Report](#)

Notice of Violation Issued

10. Issuance of a Notice of Violation to Garnet Pit,
CA Mine ID # 91-33-0031, Granite Construction, Operator; City of Palm
Springs; for Operations that Exceed the Scope of the Approved
Reclamation Plan.

[Staff Report](#)

Action Deferred Until January

11. Approval of Interim Management Plan for Garnet Pit,
CA Mine ID # 91-33-0031, Granite Construction, Operator; City of
Palm Springs.

[Staff Report](#)

Action Deferred Until January

12. Adoption of Resolution Number 2002-06 Providing the Executive Officer
Authority to Issue to a Surface Mine Operator a Notice of Violation
Following a Mine Inspection at Which a Violation is Found.

[Staff Report](#)

Resolution Adopted

X Special Reports and Department Presentations

(Information)

(Based on these Reports, the Chairman may instruct the Board staff to initiate administrative actions)

a) Presentation of Mine Inspection Reports for the Following Surface
Mines in El Dorado County:

- Chile Bar Mine, CA Mine ID # 91-09-0004
- Cool Cave Quarry, CA Mine ID # 91-09-0005
- Timm Mine, CA Mine ID # 91-09-0006
- Cassill Mine, CA Mine ID # 91-09-0011
- Marin Quarry, CA Mine ID # 91-09-0015

and for the Following Surface Mines:

- Oat Hill Quarry, CA Mine ID # 91-28-0002,
City of American Canyon
- Painted Hills Mine, 91-33-0003
City of Desert Hot Springs

Inspection Reports Accepted

XI SMGB Committee Reports

(Information)

No Committee Reports Given

XII Executive Session (Closed to the Public)

[The Board will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code § 11126.] Items to be discussed:

- a) Raney vs. SMGB, Case # SCVSS69392, San Bernardino Superior Court
- b) Calvert, et al vs. SMGB et al, Case # OOCs01434, Sacramento Superior Court
- c) Loring Brunius vs. SMGB, Case # PC 20010449, El Dorado County
- d) An un-named case where there is potentially significant exposure to litigation against the Board.

XIII Reopen Regular Business Session, Announce Results of Executive Session

No Actions Taken During Executive Session

XIV Announcements of Future Meetings

Next Meeting: January 16, 2003 (Location to be determined)

XV Adjournment

NOTE ITEMS TO BE CONSIDERED FOR PLACEMENT ON A BOARD MEETING AGENDA MUST BE SUBMITTED NOT LATER THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED MEETING.

NOTE BOARD MEETINGS ARE OPEN TO THE PUBLIC AND ARE HELD IN BARRIER FREE FACILITIES IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. FOR ADDITIONAL INFORMATION OR ASSISTANCE, CONTACT THE BOARD OFFICE.

NOTE INFORMATION REGARDING STATE MINING AND GEOLOGY BOARD MEETINGS MAY BE OBTAINED BY CALLING THE BOARD OFFICE AT (916) 322-1082. COPIES OF STAFF REPORTS AND APPROVED MINUTES MAY BE OBTAINED BY WRITING THE BOARD OFFICE AT 801 'K' STREET, MS 24-05, SACRAMENTO, CALIFORNIA 95814 OR BY ACCESSING THE BOARD'S WEB SITE: <http://www.consrv.ca.gov/smgb/calendar>

NOTE IF YOU WISH TO COMMENT ON AN AGENDA ITEM OR SPEAK DURING THE PUBLIC COMMENTS PERIOD, PLEASE FILL OUT A "REQUEST TO SPEAK" FORM, AVAILABLE AT THE MEETING ROOM ENTRANCE, AND GIVE IT TO THE BOARD SECRETARY. PLEASE DELIVER THE FORM PRIOR TO THE ITEM BEING HEARD BY THE BOARD. DURING THE PUBLIC COMMENT PERIOD, EACH SPEAKER IS LIMITED TO A MAXIMUM OF THREE MINUTES. AT THE DISCRETION OF THE CHAIRMAN, MORE TIME MAY BE GRANTED.

NOTE INDIVIDUALS ARE ENCOURAGED TO SUBMIT WRITTEN STATEMENTS OF ANY LENGTH AND DETAIL TO THE BOARD. IT IS PREFERABLE THAT THESE STATEMENTS BE SUBMITTED AT LEAST FIFTEEN DAYS PRIOR TO THE MEETING SO THAT THE BOARD MEMBERS CAN PREVIEW THE INFORMATION BEFORE THE MEETING. PLEASE SUBMIT 12 COPIES OF ALL WRITTEN MATERIALS IN EXCESS OF TWO PAGES. THE BOARD WILL NOT REPRODUCE REPORTS IN EXCESS OF TWO PAGES OR LARGE MAPS, PHOTOS, OR OTHER DOCUMENTS REQUIRING SPECIAL HANDLING. **INDIVIDUALS ARE RESPONSIBLE FOR PRESENTING THEIR PROJECTS AT THE PUBLIC HEARING.**

NOTE: A CLOSED SESSION MAY BE CALLED BY THE CHAIRMAN TO DISCUSS LITIGATION AND OTHER PRIVILEGED ATTORNEY/CLIENT COMMUNICATIONS BY AUTHORITY OF GOVERNMENT CODE §11126(q) AND SACRAMENTO NEWSPAPER GUILD vs. SACRAMENTO COUNTY BOARD OF SUPERVISORS [1968] 266(b) CAL. APP. 2nd, 41; BASIS OF "LITIGATION" EXCEPTION IS THE ATTORNEY/CLIENT PRIVILEGE.

NOTE AS A STATE AGENCY, THE BOARD IS GOVERNED BY THE BAGLEY-KEENE OPEN MEETING ACT THAT REQUIRES THE BOARD TO (1) PUBLISH AN AGENDA AT LEAST TEN DAYS IN ADVANCE OF ANY MEETING; (2) DESCRIBE IN THE AGENDA SPECIFIC ITEMS TO BE TRANSACTED OR DISCUSSED; AND, (3) REFUSE TO ADD AN ITEM AFTER THE AGENDA IS PUBLISHED.